

**STATE BOARD ADVISORY PANEL  
FOR SPECIAL EDUCATION**

The Arizona State Advisory Panel for Special Education held a meeting at Arizona Department of Education, 1535 W. Jefferson, Room 417, Phoenix, AZ on June 20, 2006, from 9:30 a.m. to 3:30 p.m.

Members Present

J'Anne Affeld  
M. Diane Bruening  
Susan Douglas, Co-chair  
Molly Dries  
Kathy McDonald  
Megan McGlynn  
Mattie McVey Lord  
Kimberly Peaslee  
Terisa Rademacher, Co-chair  
Kim Simmons

Others Present

Lynn Busenbark, ADE/ESS  
Jeannette Zemeida, ADE/ESS

Members Absent

Johanna Bookbinder  
Phyllis Green  
Rebecca Hall  
Erik Jensen  
Kathleen McCoy  
Sue Tillis  
Tona TreeTop  
Kay B. Turner, Vice-chairperson

Minutes Approved (As Read)(As Amended)

Chairperson: \_\_\_\_\_

Signature

Date

Topic	Discussion	Outcome
1. Call to order.	Terisa Rademacher, Co-Chairperson, called the meeting to order at 9:47 a.m.	1. None
2. Approval of May 16, 2006 minutes.	Kimberly Peaslee made a motion and seconded by J'Anne Affeld to approve the minutes of the May 16, 2006 meetings.	2. Motion carried
3. Public comment.	Susan Douglas welcomed the public in attendance. She explained to those present the procedures for making a comment. Anyone wishing to comment on an agenda item was asked to fill out a brief questionnaire stating which agenda item they wished to comment on. That person would then be called on when that item was discussed.	3. None
4. Exceptional Student Services.	<p>Dr. Lynn Busenbark, Director of Program Support/ESS (Exceptional Student Services), updated the Panel on the state technology project. According to froma Cummings, Assistive Technology Director, the Assistive Technology (AT) division of ESS was on target for their July 1 start date. The interagency service agreement (ISA) with Arizona Tech Act was not in place at the time of the SEAP meeting but was in the final stages of being approved. The ISA will provide a short-term loan closet for AT devices throughout the state. Vendors are being extraordinarily cooperative with regard to making the most current high-tech equipment available so that districts will have access to the most current version of whatever is needed for a child. The AT unit will have 9 employees in addition to Ms. Cummings once all positions are filled. Six of the positions have been filled. Eleven LEAs have applied to participate in the intense AT project, Tech for Learning. There are five statewide trainings scheduled. The first one is scheduled for September 8-9, 2006.</p> <p>At the time of the SEAP meeting ESS had three vacancies filled, with one left to fill. Joanne Phillips' new administrative assistant, Jennifer Cherry, started June 12.</p> <p>The data are beginning to come in with regard to the APR on the State Performance Plan. Dr. Busenbark reviewed the results as of June 20, 2006 with the Panel. The "In-By-Three Results from SAIS" showed 47.9% of these children had been identified by age 3. At that time, not all districts had submitted their data. Panel discussed SAIS discrepancies.</p> <p>Dr. Busenbark provided the Panel with a report that showed results from some recent monitoring drilldowns. The areas covered were suspension rates, reading achievement, in-by3 timelines, 60-day evaluation timeline, HS transition planning and disproportionality by disability. The data from the majority of the areas came from monitoring findings. Dr. Busenbark reviewed monitoring closeout data for FFY 2003. 86.3% of the districts that had monitoring findings related to priority areas had their monitoring closed within one year.</p> <p>Dr. Busenbark provided copies of House Bill 2676 and a fact sheet regarding the bill to the Panel. The bill appropriates \$1.5 million for students with disabilities who are IEPs to go to</p>	4. None

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	private schools of their choice and be funded through the scholarship fund. At the time of the SEAP meeting the bill had been submitted to the Governor's office but it had not been signed. The Panel discussed their concerns regarding statements made on the fact sheet which may affect public schools regarding open enrollment.	
5. Dispute Resolution Report.	<p>Dr. Busenbark introduced Dr. Hugh Pace, Director of Dispute Resolution for the Arizona Department of Education, Exceptional Student Services.</p> <p>Dr. Pace provided the Panel with handouts which outlined the number of due process complained that had been filed 10/1/05 – 5/1/06 and the state level complaints that had been filed from 7/1/05 – 3/1/06. Dr. Pace reported that the number of state-level complaints as of June 20 was 166. Last year there were 128 state-level complaints. Dr. Pace didn't feel that this was necessarily a negative situation as he feels that Arizona does a better job of informing parents of their rights than most states do. As of June 20 there have been 46 due process complaints filed. There have been 37 mediations filed this year. There were 43 filed last year.</p> <p>Dr. Pace reviewed the top 10 complaints, which included failure to fully implement IEP. This is usually because districts do not have the personnel to implement the IEP. Other complaints referred to FAPE, evaluations, IEP team participation and teacher/staff not qualified. In FY 05 there were 266 total issues; districts were found in compliance 152 times.</p>	5. None.
6. Panel Business	<p>A co-chair position (Terisa Rademacher) was opened for election. Ms. Douglas reviewed the duties of the co-chair. Ms. Douglas opened the floor for nominations of the co-chair. This is a two-year position. Diane Bruening nominated Terisa Rademacher for the position. Megan McGlynn seconded the nomination. There were no other nominations. Ms. Rademacher was re-elected for the position of co-chair.</p> <p>Ms. Douglas reviewed the duties of the vice chair. The election of the vice chair -- a one year position -- was tabled due to Kay Turner's absence. The election will be held at the September 12, 2006 SEAP meeting.</p> <p>Ms. Rademacher distributed copies of the 2005-2006 SEAP Annual Report via e-mail before the meeting to give Panel members time to review the report. The Annual Report is due to the State Board by July 1, 2006. The Panel discussed the contents of the Report. Panel members recommended changes.</p> <p>Diane Bruening made a motion and seconded by Kathy McDonald to approve the Annual Report as amended.</p> <p>The Panel planned to present the Annual Report at the August State Board meeting.</p>	6. Motion carried.

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7. Post School Outcomes Focus Group.	<p>Diane Bruening, who is a member of the Post School Outcomes Focus Group, gave the Panel a report on the recent activities of the focus group.</p> <p>The focus group contains about 10 members from around the state, including Ms. Bruening and Teri Rademacher. The group is made up of teachers, transition specialists, etc. The group has been meeting since April 2005.</p> <p>The focus group has developed the Student Exit Form (SEF) which can be easily completed by school staff by doing a file review or by interviewing the student. A guidance document was also created to provide some technical support to public education agencies (PEAs). The group is currently finalizing the Post School Outcomes Survey. Ms. Bruening explained the process the focus group used to create the survey. The focus group now needs to create the guidelines needed for PEAs to complete the survey.</p> <p>The focus group is aware that the guidelines need to be developed and disseminated as quickly as possible as there are 2 school districts in Arizona that need to get started. PEAs with a population of 50,000 or more must conduct the survey every year and Arizona has two that meet that criteria.</p> <p>The group plans to meet with Jane Falls at the 2006 Transition Conference. Ms. Falls is a national presenter on post school outcomes. The focus group is making an effort to gather information in order to meet the requirements as outlined in the State Performance Plan's Indicator #14.</p> <p>The Panel discussed how the forms are distributed and which school districts will be starting to use the form. Ms. Rademacher discussed issues surrounding how PEAs will collect contact information. There is a concern regarding the number of responses PEAs will receive. The results will be posted on the internet. The Panel discussed concerns regarding confidentiality for small schools.</p> <p>Training for PEAs will be provided. The Panel discussed the issues PEAs will face in trying to collect the information from students a year after leaving high school.</p> <p>Ms. Rademacher shared information regarding the questions on the surveys.</p>	7. None.
8. Parent Survey	<p>Ms. Rademacher informed the Panel that the Parent Survey had been sent out to the school districts/charter schools. PEAs have been given their passwords to access information online. The survey is on-line for parents to fill out. Hard copies will also be available for those parents who do not have internet access.</p>	8. None.

Topic	Discussion	Outcome
	<p>PEAs are looking at creative ways to distribute the surveys. They are expected to provide all parents/guardians of a student with a disability the opportunity to participate in the Parent Satisfaction Survey.</p> <p>Sue Douglas voiced her concerns over the language used in the survey. Dr. Lynn Busenbark explained the process used to create the questions. She explained that the questions were designed to discriminate between PEAs, to spread out responses. The questions are designed to see how aware parents are regarding their rights.</p> <p>ADE/ESS is currently trying to decide how to score 25 items with 6 possible responses for each item. Dr. Busenbark reviewed the possibilities that have been discussed.</p> <p>Each PEA only has to fill out the survey every 6 years (2 districts have to fill out the survey every year since their student population is over 50,000). PEAs have the option of completing the survey every year. The information gleaned from the survey will be posted on the ADE website.</p> <p>Panel members discussed how PEAs will get the surveys completed.</p>	
9. School Facilities Board	<p>Ms. Rademacher introduced John Arnold, the Acting Executive Director of the School Facilities Board (SFB).</p> <p>The SFB Executive Director position is appointed by the Governor. Ms. Hill is the Governor's liaison for the SFB. Therefore, the Executive Director is not the SFB representative to the State Legislature.</p> <p>Mr. Arnold's presentation focused on discussion of K-6 square footage guidelines. He gave a brief history of the SFB since 1998 to the present day as well as describing the function of the SFB. The SFB was charged with the following programs:</p> <ul style="list-style-type: none"><li>* Deficiency Correction * one time funding to bring existing Arizona public schools to a minimum standard. \$1.3 billion has been spent on 7,200 projects including air conditioning, roofing, classroom and media center space. This program has been completed and districts are now responsible for maintenance and any necessary upgrades.</li><li>* Building Renewal * this program was never funded and is not being implemented</li><li>* New Construction * the focus of the presentation to the SEAP</li><li>* Emergency Deficiency * this program was not discussed.</li></ul>	9. None.

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	<p>Charter schools are not provided funding for school construction through SFB.</p> <p>In the Student's First statute, the State Legislature has set square footage guidelines per student based on the Average Daily Membership (ADM) of students enrolled in district schools. Different amounts are set for K-6 schools (which include any special education preschoolers enrolled in school district schools), middle schools, and high schools. K-6 square footage is 80 sq ft/student. This allotment is designed to include classroom, media center, and cafeteria space. The Panel learned that the Average Daily Membership (ADM) is based on District of Attendance (DOA) and includes any preschoolers enrolled in preschool classrooms within a district school as their attendance is reported through SAIS. Any preschoolers enrolled in Head Start, private day schools, community preschool programs, or those being served with itinerant services and reported through SAIS Online are not counted.</p> <p>Kindergarten and preschool students count as .5 students for 40 sq ft. The group discussed the impact that all-day Kindergarten has had on classroom space in that all-day Kindergarten has doubled the requirement for classroom space. Mr. Arnold reported that each year the Governor has requested the Legislature increase funding for Kindergarteners to full funding, but the Legislature has not agreed to do so even while providing funds to expand all-day programs.</p> <p>Mr. Arnold explained the relationship that exists between the SFB and school districts for determining the actual design of the school. In the application for a new school project, districts must provide a count of all district-wide administrative and instructional square footage.</p> <p>Instructional square footage includes any space not used for school administrative purposes: classrooms, media centers, hallways, cafeterias, gymnasiums. The SFB reviews the information, along with a projected enrollment for two years and makes the determination to grant or deny funds to build a school. The SFB grants funds to build a school based on the square footage allotment of anticipated enrollment.</p> <p>The SFB may adjust the square footage allotment for special circumstances:</p> <ul style="list-style-type: none"><li>* Extremely small school districts (under 50 students) can use an 825 sq ft/student formula</li><li>* ASDB * the SFB was asked to conduct a study to determine the square footage per student need for ASDB schools in Phoenix and Tucson.</li></ul> <p>As a result of the study, it was determined the need for these students was 825 sq ft. However, the Legislature has not provided any funding for ASDB as it is a State agency and not a school district. To date, no districts have presented a convincing case with sufficient</p>	

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	<p>information for the SFB to consider increasing square footage based on meeting special education needs.</p> <p>Under the Statute, the SFB does not mandate the design or usage of the building. That is under local district control. Districts work with architects to design space which must include minimum areas, e.g. classrooms, media center, and cafeteria. The district determines the use and size of all instructional spaces. The district is also responsible for including special education space in the design.</p> <p>Mr. Arnold discussed how the SFB process appears to be benefiting schools with 10 or more schools as those districts may have more options for moving students within schools. Additionally, these districts as well as higher wealth districts can levy bonds to augment new school construction. Districts with fewer than 10 schools and low wealth districts with limited bonding capacities have been at a disadvantage as they typically are limited to building what can meet the greatest need using only the SFB funds with fewer options for moving students and reconfiguring school boundaries.</p> <p>The Panel discussed with Mr. Arnold the special requirements of preschool students under Federal mandate (IDEA 2004) and State preschool funding guidelines (Early Childhood Block Grant.) Mr. Arnold was not aware of these mandates. Under the current funding mechanism for new construction, growing elementary districts are closing preschool classrooms to give space to K-8 classrooms. Preschool classrooms that used to provide integrated opportunities for special education students with typical children are being phased out or closed to provide classes for special education students only. Ms. Bruening discussed the possibility that SFB be informed of a menu of creative space solutions to give to districts as a resource.</p> <p>The Panel discussed the kinds of information regarding special education and preschool needs that should be provided to the SFB. When asked how the Panel or another special education group could present information to the SFB, Mr. Arnold said SEAP could write a letter requesting the opportunity to present to the SFB or contact the Governor's office directly through Ms. Hill, the SFB liaison.</p>	
10. Adjournment	<p>A Panel member left during Mr. Arnold's presentation.</p> <p>Due to a lack of quorum, Ms. Douglas adjourned the meeting at 2:28 p.m.</p>	10. Adjournment.